A Guide for Liquor Licensees in British Columbia:

Terms and Conditions of a Liquor Licence

DOC
BC
L495
D:G85
2001
c.3

BRITISH COLUMBIA

Ministry of Public Safety and Solicitor General
Liquor Control and Licensing Branch

Definitions:

Throughout this publication, the term "manufacturer" shall mean a manufacturer of liquor product(s) or the corporate official of a liquor manufacturer. "Representative" or "agent" shall refer to any agent of a manufacturer, the employee of a manufacturer or the employee of an agency that sells domestic or import liquor products. "Licensee" shall refer to any individual(s) or corporate body who holds a Class A, B, C, D, E, F, G, H, I or U-brew/U-vin British Columbia liquor licence.

3 3298 00256 0309

Table of Contents

Letter from General Manager

I. Introduction 1
Role of the Liquor Control and Licensing Branch 1
Role of the licensee 1

II. Compliance and Enforcement Program 2
Role of inspector 2
Role of police 2
Compliance meetings 3
Complaints 3

III. The enforcement process 4
Contravention notice 4
Notice of enforcement action 4
Enforcement action 5
Penalty schedule 5
Enforcement hearing 5
Waiving the enforcement hearing 6

IV. Appeals 6

V. Managing your licensed establishment 7
Notifying the general manager of changes 7
Buying or selling a licensed establishment 7
Posting of licence and availability of approved floor plans 7
Structural alterations to an establishment 8
Changes in shareholders 8

VI. Licensing terms and conditions
Introduction 8
General operations 8
Responsible Beverage Server Training (RBS or "Serving it Right") 8
Designated Driver Program 9
Minors 10
Overcrowding 10
Conduct of patrons 11
Patrons with weapons 11
Over service 11
Buying your liquor 11
Selling your liquor 12
Illicit Liquor 12
Liquor consumption (excluding licensee retail stores) 12
Liquor consumption – employees 13
"Drinks on the house", treating and credit 13
Liquor sales and service on golf courses 13
Pricing your liquor 14

102-03491/

A Guide for Liquor Licensees in British Columbia

LEGISLATIVE LIBRARY
VICTORIA BC V8V 1X4 FEB 13 2002

Liquor drink sizes 15
Keg returns 15
Off premises sales 15
Hours of sale 16
New Year's Eve 16
Christmas parties 16
Alternate use of A licensed areas in hotels 17

Restaurant liquor service 17
Restaurant regulations – general 17
Designated food optional areas 18

Entertainment, lotteries and charitable functions 19
Entertainment -- general 19
Entertainment -- Exotic Dancers/Strippers 19
Entertainment – Games 20
Holding tournaments and contests 21
Selling lottery tickets 21
Charitable draws 22
Casino nights 22
Pari-Mutuel betting 22

Liquor manufacturer/agent relations 23
Accepting or demanding inducements 23
When a liquor manufacturer visits 23
Introduction of liquor products 24
Consumer tastings in B licensed restaurants 24
Consumer tastings in licensee retail stores 25
Liquor manufacturer/agent theme nights 26
Using manufacturer/agent promotional material (excluding licensee retail stores) 28
Using manufacturer/agent promotional material in licensee retail stores 28

Advertising 29
Advertising your licensed establishment 29
Names and signs 30

VII. Let's work together 31

Enforcement Regulations and Penalty Schedule 32

Liquor Inspectors 40

BRITISH COLUMBIA
Ministry of Public Safety and Solicitor General
Liquor Control and Licensing Branch

September 2001

Re: A Guide for Liquor Licensees in British Columbia: Terms and Conditions of a Liquor Licence.

Enclosed please find a copy of the updated "A Guide for Liquor Licensees in British Columbia: Terms and Conditions of a Liquor Licence" issued to all licensees.

This document serves two important purposes:

- It provides you with information regarding the branch's enforcement program, your responsibility to operate your establishment in a lawful manner, and the possible consequences if you do not.
- It imposes terms and conditions on your licence that are in addition to those found in the *Liquor Control and Licensing Act* and Regulations. The authority for these terms and conditions is section 12 of the *Liquor Control and Licensing Act* which provides the general manager with the authority to impose, in the public interest, terms and conditions on licences. These terms and conditions must be followed at all times.

It should be noted that some licences operate under terms and conditions that, in some instances, differ from those imposed in this document. The authority for terms and conditions that differ from those in this document will be found on the face of the licence and/or on a letter issued to the licensee by the branch, such as the letter granting preliminary site and applicant approval.

Please take the time to read this document and ensure that your managers and staff are also familiar with the terms and conditions of your licence. If you have any questions regarding the information within this document, please do not hesitate to contact your local liquor inspector.

Helen Pedneault
General Manager

A Guide for
Liquor Licensees in
British Columbia

A Guide for Liquor Licensees In British Columbia

I. Introduction

A British Columbia liquor licence is a valuable asset to any business. The licence affects you and your community both economically and socially. Each time a liquor licence is issued, therefore, a licensee assumes legal responsibilities associated with that licence. How important your liquor licence is to you is reflected in your willingness to voluntarily comply with those responsibilities. Any departure from your legal responsibilities could result in the suspension or loss of your licence, and that could have significant financial implications for you.

Each licensee is responsible for understanding how the *Liquor Control and Licensing Act* (the Act), regulations and the terms and conditions of their licence affects the operation of their establishment. Your liquor licence determines the kind, type, brands and amount of liquor that may be served in your establishment. It also regulates the hours that liquor may be served, your relationship with liquor manufacturers and agents, the kinds of entertainment that you provide, the way you advertise your establishment, and more.

Role of the Liquor Control and Licensing Branch

The government regulates the liquor industry to prevent industry competition that causes licensees to act improperly or even illegally, and to prevent the negative effects of such competition. Therefore, the Act, regulations and the terms and conditions of a licence set out rules to prevent over-consumption of liquor as a result of low prices, consumption by minors, unsafe operating conditions resulting from overcrowding and other problems.

The Liquor Control and Licensing Branch (the branch) is responsible for issuing liquor licences and monitoring the activities of all liquor licensees in British Columbia to ensure that licensees are following the rules. The branch is required by law to act in the public interest. This means that the branch protects public safety and has regard for community standards respecting the impact of liquor manufacturing and sales.

Role of the licensee

You accept legal responsibilities when you obtain a liquor licence. As a licensee, you are responsible for managing and controlling your establishment. You are required to comply with the Act, regulations, and the terms and conditions of your licence.

As a licensee, it is your responsibility to understand how these rules affect the operation of your establishment and to follow them. While you may not be on site at all times, you are responsible for ensuring your employees comply with the requirements of the Act, regulations and terms and conditions in your absence.

You are also responsible for letting the branch know about any changes you make to your business or to the buildings in which you operate.

II. Compliance and Enforcement Program

The Compliance and Enforcement Program of the branch is based upon the philosophy that voluntary compliance by the licensee is expected. Licensees receive educational material at the time of licensing and ongoing communication with the branch through the inspection program. If a licensee fails to comply with the Act, regulations or the terms and conditions of the licence, the branch may commence enforcement action against the licensee.

Role of inspector

Inspectors are located in regional offices throughout the province. The inspectors are able to advise you concerning the proper operation of your establishment. You should get to know your local inspector.

Inspectors monitor licensed establishments throughout the province to ensure that licensees are complying with the Act, regulations and the terms and conditions of the licence.

Inspectors conduct regular inspections of licensed establishments:

- to check on whether a licensee is following the rules
- to see if there have been any unauthorized physical changes to the establishment
- to identify any problems in the operation of the establishment.

While it is important for inspectors and licensees to respect each other, it is also important for everyone to understand that it is the inspector's job to identify instances of non-compliance and, when necessary, to initiate enforcement action against a licensee.

Inspectors and police officers must be granted immediate access to all areas of your establishment when requested.

Role of police

The branch works closely with police forces on compliance and enforcement issues. Police forces across the province take part in regular, unannounced visits to licensed establishments. The aim is to prevent criminal or disorderly activity, or non-compliance with the terms and conditions of the licence by providing a visible police presence. The police consider these visits to be an integral part of the routine preventive patrol in any community.

When police walk through your establishment, they will take note of any evidence of a contravention – particularly those that could result in disturbances within the community or that could threaten public safety.

When police notice a contravention, they record it on a police licensed premises check (LPC). A copy of this LPC is left at the establishment and a copy is sent to the branch. The branch follows up on all LPCs. An inspector may conduct an inspection after a review of an LPC and issue a contravention notice. Enforcement action may be taken as a result of an LPC.

The police walk-through program has proven to be an outstanding success. It plays an important role in preventing contraventions and promoting a greater awareness of the laws that must be observed. The program is of benefit both to licensees and to the community at large.

Compliance meetings

Compliance meetings are meetings of the licensee and the inspector, and sometimes others such as police, fire officials and establishment staff, for the purpose of:

- promoting voluntary compliance through education
- assisting the licensee and staff in anticipating, and creating solutions for, potential compliance problems.

A compliance meeting may be initiated by an inspector or requested by a licensee.

The matters discussed during the meeting are documented on a compliance meeting form. For example, if the licensee agrees to implement procedures to deal with potential compliance problems, this agreement and the procedures will be noted on the form. Both the inspector and the licensee sign the form. The licensee is provided with a copy of the form and a copy is placed on the establishment file.

It is important to note that compliance meetings are not a required step prior to enforcement action. The general manager may take enforcement action against a licensee whether or not the licensee has attended a compliance meeting in the past. The branch operates on the basis that the licensee is responsible for understanding the requirements of the Act, regulations and terms and conditions of the licence.

Complaints

If there is a complaint about your establishment, it may come from a member of the public, a competitor, the local government or any other agency that perceives your establishment is not complying with the Act, regulations or the terms and conditions of the licence.

Complaints are investigated by inspectors. The inspector may visit your establishment to discuss the complaint and inspect the establishment. Enforcement action may result from a complaint.

III. The enforcement process

Sometimes the branch is required to take enforcement action against a licensee. This section discussed the steps involved in the enforcement action process. The entire enforcement process is explained in detail in the branch Compliance and Enforcement Policy and Procedures Manual.

Enforcement action taken by the branch forms part of your record. It is important that you clearly understand any action taken against you. If any aspects of a letter or decision are unclear, you should seek clarification from the branch.

Contravention notice

A contravention notice is a form issued by inspectors that sets out any alleged contravention, or contraventions, the inspector identified during an inspection or following the issuance of an LPC. A contravention notice is issued every time an inspector identifies an apparent contravention of the Act, regulations or the terms and conditions of the licence. A copy of the contravention notice is left at the establishment and a copy is forwarded to the licensee's office of record. A contravention notice provides the licensee with immediate information about apparent compliance problems in the operation of the establishment.

Upon review of the contravention notice and the establishment's file, the inspector may recommend enforcement action against the licensee. The licensee will generally be notified within 45 days if enforcement action has been recommended. If the branch decides not to take enforcement action, the contravention notice remains on the establishment file.

Notice of enforcement action

When the inspector recommends enforcement action against a licensee, the licensee will be notified by letter. This letter, the notice of enforcement action letter, sets out:

- the alleged contravention
- the establishment's compliance history
- the licensee's history of compliance and
- the enforcement action that the branch advocate will recommend to the general manager in an enforcement hearing.

The notice of enforcement action letter also describes the enforcement hearing process and the opportunity for the licensee to waive the enforcement hearing. The enforcement hearing and waiver are described in detail in this Section III.

The notice of enforcement action letter provides the licensee with the information necessary to make informed decisions in response to the proposed enforcement action.

Enforcement action

Section 20(2) of the Act sets out the enforcement action the general manager may take against a licensee for failure to comply with the Act, regulations and terms and conditions of the licence. Enforcement action may be one or more of the following:

- imposing a term and condition on the licence or rescinding or amending a term and condition
- imposing a monetary penalty in accordance with the penalty schedule
- imposing a suspension penalty in accordance with the penalty schedule
- cancelling all or part of the licensee's licence
- ordering the licensee to transfer the licence, within the prescribed period, to a person who is at arm's length from the licensee.

The type of enforcement action and the severity of the enforcement action taken by the general manager against a licensee depends on a number of factors including the nature of the contravention, the circumstances of the contravention, the establishment's compliance history and the compliance history of the licensee.

Penalty schedule

The general manager has the authority to impose a suspension penalty and/or a monetary penalty on a licensee for a failure to comply with the Act, regulations and terms and conditions of the licence.

The suspension and monetary penalty schedule is found in schedule 4 to the regulations and set out in Appendix A to this Guide. The penalty schedule describes the suspension and monetary penalty range for each contravention. In most situations, when the general manager imposes a suspension or monetary penalty, the general manager will stay within the range set out in the penalty schedule. However, the general manager has the authority to impose a higher penalty and will do so when it is in the public interest.

Enforcement hearing

The recommendation to the general manager to impose enforcement action will, in most situations, be reviewed at an enforcement hearing. An enforcement hearing will generally be held within 60 days of the notice of enforcement action letter.

At an enforcement hearing, an adjudicator, who is a delegate of the general manager, reviews the evidence of the branch and the licensee and hears representations from the branch advocate and the licensee.

The adjudicator decides:

- whether the contravention occurred
- whether enforcement action will be taken and
- the type and severity of the enforcement action.

The adjudicator may accept the proposed penalty set out in the notice of enforcement action letter, may impose a higher penalty, may impose a lessor penalty or may impose no penalty.

The case management administrator with the branch can provide further information to the licensee on the enforcement hearing process.

Waiving the enforcement hearing

The licensee may waive the opportunity for an enforcement hearing and accept the enforcement action proposed in the notice of enforcement action letter. If the licensee chooses this option, it is necessary to sign a waiver notice prepared by branch staff. In most situations, the waiver notice must be signed within 14 days of the notice of enforcement action letter.

By signing the waiver notice, the licensee:

- agrees that the contravention occurred
- accepts the enforcement action proposed in the notice of enforcement action letter
- waives the opportunity to an enforcement hearing
- waives the right to appeal to the Liquor Appeal Board
- agrees that the contravention and enforcement action will form part of the licensee's record.

IV. Appeals

A licensee may appeal to the Liquor Appeal Board the decision by the general manager to take enforcement action. Appeals are conducted pursuant to section 31 of the Act and are heard by the Liquor Appeal Board.

Liquor Appeal Board
910 - 1125 Howe Street
Vancouver, British Columbia
V6Z 2K8
Phone: (604) 660-2987

Once the general manager or the adjudicator as delegate of the general manager has made a decision, you have 30 days from the date of that decision to submit a written notice of appeal to the Liquor Appeal Board by registered mail. You must also send a copy to the general manager. The Liquor Appeal Board "Rules, Practices and Procedures" describing the form of notice of appeal and the appeal process can be obtained directly from the board.

An appeal is a legal process. For an appeal to be successful, the Liquor Appeal Board must find that the general manager made an error in law or failed to observe the principles of procedural fairness in reaching the decision. In reviewing the decision, the Liquor Appeal Board will review the record of the enforcement hearing and consider legal representations. The board will not rehear evidence or hear testimony of witnesses.

If the Liquor Appeal Board allows the licensee's appeal, the board will send the matter back to the general manager for reconsideration and provide the general manager will direction.

The licensee or the general manager may seek judicial review of the decision of the Liquor Appeal Board. An application for judicial review must be made within 30 days of the written decision of the Liquor Appeal Board.

V. Managing your licensed establishment

Notifying the general manager of changes

The licensee is responsible for keeping the branch informed of corporate changes such as address changes, share transfers, lease or property title, business ownership, resident manager, hours of operations and floor plans.

Buying or selling a licensed establishment

When a licensed establishment is bought or sold, the liquor licence may not be transferred without written consent of the general manager.

An application package for transfer of a liquor licence is available from any Liquor Control and Licensing Branch office listed at the back of this guide. Application forms and checklists may also be obtained from our website at www.ag.gov.bc.ca/lclb/.

A current licensee or a prospective purchaser may ask the general manager to express an opinion regarding the likelihood of a transfer being approved. Either of these parties may submit a letter outlining the nature of the transaction and include completed "Personal History Summary and Consent for Criminal Record Search" (LCLB004) forms for all prospective purchasers. The general manager will then provide a non-binding opinion to both the licensee and the prospective purchaser. This letter, commonly known as a "comfort letter", may also identify any terms and conditions of the licence that are not transferable to new owners.

Posting of licence and availability of approved floor plans

Your liquor licence must be posted in a prominent location in the licensed area so it is readily available for inspection by the police and liquor inspectors. Posting the licence also informs the consuming public that the establishment is properly licensed and that certain rules must be followed.

Floor plans approved by the general manager must also be stored in the licensed area of the establishment. In effect, these plans form part of the liquor licence since they specify the physical areas within the establishment that are licensed for the sale and consumption of liquor. As with the licence certificate and any associated licence conditions, quick and easy access to this information is important for liquor law enforcement.

Structural alterations to an establishment

The physical layout of the establishment affects the ability of licensees and their staff to manage areas licensed for the sale and consumption of liquor. Specifically, problems of over-service, over-consumption and loss of control within a licensed establishment are related, in part, to the extent to which the physical dimensions and layout of the establishment help or hinder staff in effectively managing the licensed area. Changes to the floor plan require prior approval of the general manager.

Changes in shareholders

Internal transfer of shares requires the prior approval of the general manager. However, since internal share transfers involve only a re-assignment of shares among the existing shareholders in the licensed establishment, factors related to applicant suitability need not be reconsidered.

Share transfers involving new individuals or corporations are treated as new licence applications with respect to applicant suitability, so applicants must submit a completed "Personal History Summary and Consent for Criminal Record Search" (LCLB004) form as part of the application package. All documents are submitted to the local inspector.

In the case of either an internal or external share transfer, applicants holding a ten per cent or greater interest are required to consent to a criminal record search.

VI. Licensing terms and conditions

Introduction

The following terms and conditions are imposed on all licensees by the general manager of the branch. The authority for these terms and conditions is section 12(2) of the *Liquor Control and Licensing Act*. Notwithstanding, it should be noted that some licences operate under terms and conditions that, in some instances, differ from those imposed in this document. The authority for terms and conditions that differ from those in this document will be found on the face of the licence and/or on a letter issued to the licensee by the branch, such as the letter granting preliminary site and applicant approval.

General operations

The Responsible Beverage Service Program (RBS or "Serving It Right")

The RBS program was developed by the branch in consultation with representatives of the hospitality industry, and is administered by the Hospitality Industry Education Advisory Committee (HIEAC). RBS is designed to encourage a responsible, professional approach to serving alcohol in licensed establishments. It educates its participants concerning their legal rights, responsibilities and liabilities, as well as

providing techniques intended to prevent problems related to the over service of alcohol. It consists of two separate self study training programs – one to be completed by licensees, the other by servers.

All licensees and managers must successfully complete the licensee component of the "Serving It Right" training program. Where the licence is issued to a corporation, any director, officer or employee having responsibility for controlling the sale of liquor for the corporate licensee must complete the program. This includes any server of an establishment who may be left in charge of the licensed establishment from time to time.

All licensees, managers and employees of an establishment who serve liquor must successfully complete the server or licensee component of the "Serving It Right" training program with the following exceptions:

- licensees and staff of an aircraft operating under a Class A licence
- licensees and staff in a G or H class LRS, and
- unpaid managers or servers in a club, recreational centre, or municipally or provincially owned A class cultural centre.

New licensees have 120 days from the date the licence is issued to fulfil the RBS condition of licensing. New employees have 120 days from the date of employment to fulfil the RBS requirement.

Licensees are responsible for ensuring their employees are trained. If you or your employees are not properly certified in RBS, your licence privileges will be jeopardized. You must confirm your certification or your staff's certification to a liquor inspector or police officer if requested to do so. You are required to keep a photocopy of each staff member's RBS certificate, together with a listing of the employees on duty, ready for inspection at all times.

Unfortunately, enforcement action has been required in a number of instances where licensees have failed to abide by the legislation, and suspensions of their liquor licensing privileges have been imposed.

Designated Driver Program

If your establishment is a neighbourhood pub, marine pub, restoration pub, cabaret or holds an A class licence, the Designated Driver Program allows up to ten percent additional patron capacity for designated drivers upon the strict condition that these individuals do not drink alcoholic beverages. The additional capacity must comply with the Fire Commissioner maximum capacities, and must be approved by the branch.

If you wish your establishment to participate in the Designated Driver Program you must:

- have established a satisfactory enforcement record
- apply to the branch in writing
- advertise the program within branch guidelines, and
- maintain a register of all designated drivers with time-in and time-out controls.

Minors

It is against the law to sell, serve, or supply liquor to a minor. If you or your employee sells, serves or supplies liquor to a minor, you are liable for a fine of not less than $500.

Your licensing privileges could also be jeopardized. Suspected minors must be asked for prescribed identification that has the following characteristics:

- it is issued by a government or government agency
- the holder's picture, signature and birth date appear, and
- the holder's name is imprinted, not handwritten.

If they cannot produce acceptable identification, minors must be asked to leave establishments that do not allow minors.

Minors are **not** allowed in licensed establishments, with the following exceptions:

- a convention centre in conjunction with a meal or an unlicensed event
- a restaurant, aircraft, train, motor vessel, airport lounge, stadium or concert hall
- a winery lounge or picnic area only if accompanied by a parent or guardian
- the playing area of a golf course where endorsed for liquor sales to golfers from a take-out window, kiosk or beverage cart
- a licensee retail store or government liquor store if accompanied by a parent or guardian, or
- while performing as a professional entertainer.

With respect to the latter exception, the minor may perform but must not remain in the licensed area before the show, during intermission or after the show. If minors are employed as entertainers, you must ensure that they are supervised at all times while in your licensed establishment. Whenever they are not entertaining, minors must leave the licensed areas. These terms and conditions do not apply in regard to licensed establishments in which minors are permitted, such as restaurants.

Please note that D.J.s are considered to be employees, not entertainers.

Under no circumstances may a minor perform as an exotic dancer, stripper or in any other form of adult oriented or sexually explicit entertainment.

Minors employed in restaurants are permitted to serve liquor but they are not permitted to open bottles, pour liquor or mix liquor. Minors serving liquor must be under the supervision of adult staff. Minors may not be employed in the sale and service of liquor in the playing area of a golf course.

Overcrowding

Your liquor licence tells you the maximum number of patrons that are allowed in your premises at one time. Local building/fire authorities also establish a maximum capacity that may not be the same as the liquor licence maximum capacity. The maximum capacity stated on your liquor licence determines your maximum capacity. The maximum capacity applicable to the golf course applies only to the lounge area.

Section 22 of the *Liquor Control and Licensing Act* allows the general manager, or delegates, to suspend a liquor licence and order the immediate removal of patrons where the safety of persons within the establishment is threatened. Operating a licensed establishment in excess of the maximum permitted capacity may constitute such a threat.

Conduct of patrons

You may not allow in your establishment:

- gambling
- drunkenness
- violent, quarrelsome, riotous or disorderly conduct, or
- unlawful activities or conduct (for example, dealing or use of illicit drugs, or sale of stolen or contraband goods).

You and your employees are responsible for ensuring that such activities do not occur.

You or your staff may ask a person to leave, or forbid them entry to your establishment if, for any reason, you believe the person is intoxicated; however, you must not contravene the ***Human Rights Act*** in doing so. The individual who has been asked to leave or has been barred from entering an establishment must not enter that establishment within twenty four hours. Anyone who does, commits an offence and may be arrested.

Patrons with weapons

It is against the law for any patron in your establishment to possess a knife, firearm or weapon. If a patron is known to have, or is suspected of having a weapon, you should notify the police immediately.

Over service

You may not allow a person to become intoxicated in your establishment nor may you sell or give liquor to an intoxicated person or a person apparently under the influence of alcohol or drugs. Also, you may not let a person apparently under the influence of alcohol or drugs, enter or remain in your establishment. It is your responsibility to have them removed.

Buying your liquor

The Act requires that licensees purchase their liquor from the Liquor Distribution Branch. You must first identify yourself as a licensee. Your licence will specify a government liquor store where you are to purchase your liquor. In addition, the LDB may specifically designate other outlets where you may purchase liquor. These include:

- on site agency stores at licensed wineries, breweries and distilleries
- rural agency stores
- independent wine stores, and
- Brewers' Distributers.

Through prior arrangement with your designated government liquor store manager, orders may be made by phone. In these cases, an order form will be computer generated for your signature when you pick up your order. In all other cases, orders must be recorded in your Licensee/Agency Order Book (Documentation 60), and presented to the sales outlet upon ordering. Every liquor purchase made by your establishment must be recorded in a register and be open for inspection by a liquor inspector at any time.

For those who normally use the Brewers' Distributors order/delivery system, small quantities of liquor may also be purchased through your designated government liquor store in emergency situations, although the Documentation 60 process must always be followed.

Selling your liquor

Only the type of liquor that is authorized by your licence may be sold. You may sell and serve liquor only in those areas of your establishment designated as licensed areas. Study your licence.

Licensees are not permitted to pre-mix drinks of liquor. This can only be done at the request of a customer. Unless otherwise authorized by the general manager, all liquor served by the glass in licensed establishments shall be dispensed from the original container in which the liquor is purchased from the Liquor Distribution Branch. A licensee may neither refill nor add to a bottle or container purchased from the Liquor Distribution Branch.

Golf courses with endorsements for sale of liquor from beverage carts in the playing area must not operate more than one cart for every nine holes on the course at any time.

If you are a licensee retail store, you may not sell or transfer your liquor to any other licensed areas of the establishment or to any other licensee. Product must be kept for sale in the licensee retail store only.

Illicit liquor

The sale of illicit liquor in licensed establishments is strictly prohibited. Illicit liquor is any liquor not purchased from the Liquor Distribution Branch as a licensee. This includes stolen liquor, smuggled liquor, home manufactured or u-brew/u-vin liquor, liquor purchased as a culinary product which is being used as beverage alcohol, and samples that may have been left by a liquor representative.

Illicit liquor also includes any liquor that has been watered or adulterated.

Liquor consumption (excluding licensee retail stores)

If liquor was not purchased in your establishment, it may not be consumed there. Patrons may not bring liquor with them to consume in your establishment. Conversely, liquor that **is** purchased in your establishment **must** be consumed there – it may not be removed from the premises, unless it is an off sales product.

Liquor purchased in accordance with the regulations for consumption on a golf course must not be consumed or carried on the golf course in areas other than the playing area or the licensed lounge area. The playing area does not include practice areas such as the driving range or the putting green. When crossing public roads to get to another part of the course, drivers of golf carts must not drink liquor or carry liquor in their hand. Signs must be posted to this effect before the first tee box and at the tee box one hole before the crossing point of any public road.

Liquor consumption – employees

Your employees may not consume liquor in your establishment during their working hours. This includes breaks and meal periods.

After the completion of a work shift an employee may consume liquor under the following conditions:

- liquor may not be offered to the employee at a reduced price, without charge or on credit
- the employee must be of legal drinking age
- liquor may only be served and consumed during the hours of sale indicated on the face of your licence
- liquor may not be offered to the employee in lieu of wages or a bonus, and
- in B licensed restaurants, liquor may only be served to an employee as part of a meal or if it is believed that the employee genuinely intends to eat a meal in the dining room area.

"Drinks on the house", treating and credit

You may not give liquor away in your establishment. Some wineries may be exempted from this prohibition where a consumption area licensed under an endorsement to the winery license overlaps with a designated sampling area.

Treating customers or allowing "drinks on the house" is not permitted. This includes providing a staff member with a free drink after a shift is over. All liquor must be paid for by patrons. Credit is only allowed if you are a hotel, club, resort or mess and have billing privileges for your guests or members. (The use of credit cards such as VISA, Mastercard and American Express is permitted.)

Liquor sales and service on golf courses

If you have authorization to serve liquor to patrons of a golf course from a beverage cart on the golf course property, or from a kiosk or take-out window, the following rules apply.

Persons serving liquor must be employed by the licensee, be at least 19 years of age, and have successfully completed the Responsible Beverage Service course. Liquor may only be served to adult patrons of the course and is generally confined to a maximum of two drinks per person per sale.

Liquor can be dispensed in unsealed containers only. This means that, for instance, if beer is sold in its original can, the seal should be broken at the point-of-sale. Liquor may only be served between 9:00 a.m. and dusk, and only when the 'A' licence is in effect. This means that a golf course whose licence is in effect between 11:00 a.m. and and 11:00 p.m. must wait until 11:00 a.m. to begin serving liquor from the cart, kiosk or take-out window and must cease these liquor sales at dusk, not at 11:00 p.m. During the hours of liquor service, snacks and non alcoholic beverages must be available for sale at reasonable prices.

Rules pertaining to availability of liquor service from beverage carts, kiosks and take-out windows are to be posted before the first tee box where patrons can see them. Additional signs must be posted at the tee box one hole before a roadway crossing.

These signs must notify golfers that they are not to consume or carry in hand beverages containing alcohol while crossing public roads in a golf cart, because a golf cart is regarded as a motor vehicle.

All liquor purchased from a cart, kiosk or take-out window must be consumed on the licensed portion of the course property (i.e., on the playing area, and not on the practice green or the driving range). Finally, licensees are responsible for ensuring that patrons do not bring their own liquor onto the course.

Pricing your liquor

Licensees are required to have a list available showing the quantities in which liquor is sold, and the price at which each quantity is sold. All available types of liquor must be listed, along with the price and amount of alcohol contained. Drinks may be categorized by type (i.e., mixed drinks contain 'x' ml [y ozs] of liquor), rather than listing the name of every drink served.

Volume must be given in both metric and imperial measures, and may also be described by common names (i.e., a sleeve of beer, which is 14 oz or 398ml).

Available brands in the same price class need not be listed, so long as the different price classes are listed (i.e., bar brands and premium brands).

A complete list of available mixed drinks is not required, so long as the price and amount of alcohol is clearly listed (i.e, mixed drinks contain 1 oz or 28.4 ml of liquor, and cost 'x' amount for bar brands, and 'y' amount for premium).

It is suggested that the list state whether or not tax is included in the price, and what the applicable taxes are. The list may be posted in the establishment as a printed list or on a board, or available at all tables, but it must, at a minimum, be available to customers on request. Specials should be communicated to patrons in the same way.

Liquor prices, once set at the start of the business day, cannot be changed until the next business day. A reduced or special price must be available all day and may not be offered on a brand or type of liquor for which stocks are known to be insufficient. Prices may not be reduced for the purpose of a "Happy Hour" or for particular guests.

Periodically, there is a problem of "liquor price wars" among establishments advertising drinks "two for one". "Two for one" is not permitted. It implies that one drink is being given away free by the establishment, which is both illegal and not conducive to moderate consumption.

Only during an approved theme night run by a liquor manufacturer/agent may you offer special prices on liquor products that the manufacturer/agent represents. The manufacturer/agent may not subsidize the price of the product in any way, such as paying the difference between the normal selling price of the product and its "special" price during the theme night. Prices must be in effect all day. (For additional information, please see the section on theme nights in this document.)

You may not offer liquor as part of all-inclusive meal or room packages. In other words, meals that include wine or other types of liquor as part of the purchase price are not permitted. This applies to "complimentary" liquor included with room rates or weekend packages. The exceptions to this are New Year's Eve packages which may include a glass or bottle of wine or champagne during a meal or at midnight, and wine makers dinners which may include wine and a meal.

In a licensee retail store, liquor pricing must comply with the licensee retail store agreement signed with the Liquor Distribution Branch.

Liquor drink sizes

Each drink containing distilled liquor (spirits) shall not contain more than three fluid ounces of distilled liquor, or the metric equivalent (85 ml). Draught beer may be served in:

- single servings of no more than .5 litres
- smaller servings of multiple brands, provided the total served at one time is no more than .5 litres, and pitchers or other multiple serving containers shared by two or more patrons and containing no more than 1.5 litres of draught beer.

With respect to serving wine:

- single servings of no more than .25 litres
- smaller servings of multiple brands, provided the total served at any one time does not exceed .25 litres.
- wine can also be served in a 1.5 litre refillable containers provided the licensee receives approval of the dispenser from the Public Health Protection Branch of the Ministry of Health. The dispenser must be one that prevents product contamination.

Regardless of the type of liquor, a licensee may not serve liquor to patrons in tray loads or pour directly from a bottle into a patron's mouth. Moderate consumption must be respected at all times.

Keg returns

Faulty or damaged kegs of beer or kegs containing damaged product may not be picked up or replaced unless authorized by a liquor inspector. Upon being notified by a licensee of a faulty keg or keg content, for which credit is given, the inspector may authorize the keg to be:

- held for inspection
- picked up and held for inspection, or
- picked up and replaced without inspection.

Off premises sales

If your licence is endorsed for off-premises sales, you may sell beer, wine, cider and coolers. Licensees with off-premises sales endorsements may advertise the availability of off-sales, but must not mention the price of the liquor products or the brands or manufacturers. In accordance with the regulations, only the following words related to the availability of off-sales may be used in any advertising or signs: "Off-premises sale of beer, wine, cider and coolers is available".

Product sold for off-premises consumption cannot be consumed on site and must be removed from the premises immediately after purchase.

Hours of sale

Your licence indicates the hours during which liquor may be sold. There is a half hour period after the termination of the hours of sale during which all patrons must finish drinking and leave the establishment. With the exception of B restaurants, all patrons must be out of your establishment by the end of this period.

The restriction on Sunday hours of sale has been repealed, although the hours of sale as noted on the licence will not be amended without an application from the licensee. Included with the application, which is to be directed to the local liquor inspector, the licensee must include written comment from local government. If local government recommends the change in hours, the inspector may process and approve the request.

In B licensed restaurants, where restaurant closing hours may not coincide with the termination of the hours of sale, patrons may remain. In these cases, you may not allow liquor to be served past the time noted on your liquor licence or consumed half an hour beyond this time. To ensure that there is no question of persons consuming beyond the permitted time, all liquor containers and glassware should be removed from the tables.

On golf courses with endorsements for beverage take-out windows, kiosks or beverage carts, liquor may only be sold in the playing area from 9:00 am to dusk, and only during the hours noted on the licence of the lounge area.

If your licence permits you to have off-premises sales of beer, wine, cider and coolers you may make off-sales until 11:00 p.m. Customers purchasing the product must remove it from the premises once it is purchased and it may not be consumed on site (for additional information please see the section on off premises sales in this document).

New Year's Eve

Unless otherwise directed by the general manager, you may extend your hours of sale on December 31 until 3:00 a.m. on January 1, on the condition that food is provided to your patrons.

Christmas parties

If you make a written request, your local liquor inspector may temporarily suspend your liquor licence so you may hold a staff Christmas party within your licensed establishment. Prior to holding a staff Christmas party within the licensed area of the establishment, you must apply for and obtain a private special occasion licence to be in effect for the duration of the party.

You are limited to a maximum of one Christmas party during the period December 1 to January 15. Unless otherwise specified, the following conditions apply:

- the licensed area must be entirely closed to the public during the party
- the party may only be attended by staff and one guest per staff member
- total attendance may not exceed the fire marshal's limits for the premises
- minors may not attend except in B licensed restaurants where food is available

- liquor may be provided to staff and guests free of charge, and
- the hours of the party may be within or outside the regular licensed hours of the establishment, but liquor service must cease no later than 2:00 a.m.
- with the exception of restaurants, all patrons must leave the establishment within one half-hour of the expiry time on the Special Occasion Licence.

Alternate use of A licensed areas in hotels

Hotel licensees may use the area licensed as an A class lounge or pub for non-licensed events outside of licensing hours and minors may be permitted to be on the premises. This alternate use is permitted provided:

- there is at least one hour between the licensed and unlicensed activities in which no patrons are permitted within the area, and
- the licensee posts signs stating the licensed hours and the prohibition of minors during licensed hours.

Restaurant liquor service

Restaurant regulations – general

If you hold a B licence as a dining establishment, your business must be mainly food service. Your kitchen must be open and in operation, and a reasonable variety of appetizers and entrees must be available at all times while liquor is being served. A 60:40 food to liquor ratio both for the establishment and per table is one measure the branch uses to tell whether a licensee is primarily engaged in food service. You do not need to routinely report your food/liquor ratio to the branch, but you must keep records and make them available upon request.

Restaurants may not serve liquor to a person except under the following conditions: the patron has ordered food, or you have informed them that liquor can only be served if they order and consume food, and you have a good reason to believe that they will do so. The only exceptions to this rule are in areas licensed as a designated food optional area (DFO), and when a customer is at a table where at least three quarters of persons are ordering food.

There are strict limits on games in a restaurant. No games are permitted unless they were previously approved in writing for the establishment. This does not apply to diversionary games such as crossword puzzles and children's games played by children. Games in adjoining unlicensed areas are only permitted if a physical barrier separates the areas.

Entertainment in licensed restaurants is also limited by liquor regulations. Licensees must get the approval of the general manager for entertainment other than radio, stereo tuner, tape and/or CD player, jukebox or television. Patron participation entertainment (such as dine and dance) is permitted until midnight; patron non-participation entertainment (such as musicians) is permitted until 1:00 a.m.

Restaurant holding areas no longer have special operating conditions and are not legally recognized as a distinct area in the establishment. However, existing holding areas do not need to be dismantled. Licensees may continue the practice of seating patrons in a small area while waiting for a table to be prepared, but the holding area must operate in the same manner as the rest of the dining area. The tables and seats in these areas must be suitable for the service of food.

Patrons must be seated while being served or consuming liquor and may not carry liquor in the establishment, with the exception of banquet areas or during private parties approved by the general manager.

Designated food optional areas

A designated food optional area, or DFO, is a separately licensed small area of a restaurant in which patrons may be served liquor without food.

A restaurant may apply to operate a DFO if it is licensed as a Dining Lounge (BDL or BDA). If you are licensed as a Dining Room (BDR), then you can only apply to operate a DFO area if you first are successful in changing to a Dining Lounge (BDL) licence.

The total patron capacity that you are allowed in a DFO is the lesser of 20 seats or ten percent of the total restaurant patron capacity (not counting banquet rooms, patio or other areas of the establishment if not used on a daily basis). There must not be more seats in a DFO area than it is licensed to hold.

A DFO is a single area clearly defined in the floor plan submitted to the branch, that is visibly distinct from the principle dining area. A DFO area may be anywhere in the licensed floor area. If your establishment has a service bar however, the DFO area must be located at the service bar.

Licensees may have up to two DFO areas, provided one is located on the patio. If there are two DFO areas, the two together must not exceed the maximum DFO capacity for your establishment.

Tables and chairs in the DFO area do not need to comply with decor standards in the dining area, but if they don't the DFO area may not be used as part of the dining area if the DFO area is temporarily closed or relocated. Licensees must apply for an amendment to the approved floor plan if they wish to move the DFO area.

An individual sitting in a DFO seat counts toward the DFO area licensed limit, regardless of whether they are drinking liquor. This applies equally to minors, who are allowed in the DFO area if they are accompanied by an adult, but may not consume liquor. Minors may serve (but not mix) drinks in a DFO area if they are under adult supervision.

The following additional terms and conditions apply to DFO areas:

- A sign must be posted at the entry to a DFO area, explaining that it is a DFO area and that minors must be accompanied by an adult.
- Entertainment in a DFO area must follow the same rules as for the primary dining area.
- Patrons who are served in the DFO area must be seated.
- Hours of liquor service in the DFO area may not go beyond the liquor service hours in the primary dining area.
- No games are permitted, except for diversionary activities such as a crossword puzzle or children's games played by children.
- Licensees may not advertise or post signs outside the establishment that refer to the DFO area (for example, a sign advertising "Bar and Grill" is not permitted)
- Kitchens must be open and food available during all hours of operation.

Entertainment, lotteries and charitable functions

Entertainment – general

Any entertainment that takes place in your establishment must conform to local, municipal or regional district laws and guidelines.

Apart from those local restrictions, you may, if you have an A, C, D, F, or I liquor licence, and if not otherwise restricted or prohibited by the general manager, provide entertainment including but not limited to, music, radio, television, and dancing. This includes hosting a live radio or television broadcast from within your licensed establishment.

Any motion pictures exhibited in a licensed establishment must be in accordance with the *Motion Picture Act* and its regulations. No motion picture classified as "Adult" may be shown in a licensed establishment.

Entertainment restrictions, in addition to those noted in this document, will be noted on your liquor licence. These privileges may identify conditions such as hours, or restrict any type or form of entertainment performed in your licensed establishment.

B licensed restaurants are allowed the same entertainment privileges as those noted above for A, C, D, F or I licensed establishments, with three exceptions:

- entertainment other than televisions, radio, jukeboxes, etc. requires approval from the general manager and restrictions to hours of sale may apply
- exotic dancers/strippers are not allowed, and
- the entertainment must be suitable for viewing by minors.

Other than playing field activities or bona fide performance activities in a concert hall, stadium or convention centre, entertainment may not be provided in an E licensed establishment.

In a winery lounge, no entertainment is permitted unless authorized by the general manager of the branch.

Entertainment is not permitted in G and H licensed premises.

If you provide any type of entertainment in your establishment, you must post a notice at the entrance to the establishment describing the type of entertainment being performed. You must also identify when a cover charge is in effect.

Live, on premises prizefighting, kickboxing, and all other similar contact sports, whether as patron participation or staged entertainment, are prohibited.

Entertainment – Exotic Dancers / Strippers

Rules concerning the conduct of exotic dancers/strippers are aimed at ensuring that the performance does not have an adverse effect upon the conduct of patrons.

A stripper is a performer or dancer who strips his or her body of some or all clothing during a performance. An exotic dancer is a performer or dancer who does not necessarily strip any or all clothing during a performance. The terms stripper and exotic dancer do not include a performer or dancer commonly known as a belly dancer.

Exotic dancers/strippers are only permitted in approved areas of A hotels, C, D, F and I licensed establishments. The entertainers must be at least nineteen years of age and must don appropriate clothing prior to walking through the audience both before and after their performance.

There are strict guidelines to be followed during any exotic dancer's or stripper's performance. These include:

- no live, realistic or simulated sex acts
- no insertion or extraction of any object into or from the vagina or anus
- no urination or defecation
- no acts involving coercion or violence, simulated or real
- no audience participation
- no dancing or performing on table tops or other areas beyond the approved areas, and
- no touching, sharing of food or beverages and no passing of objects between the dancer/stripper and members of the audience.

The performance must be confined to the stage area. None of it may be performed in the audience area.

Animals, reptiles or birds may not form part of an exotic dancer's/stripper's performance, and are not permitted as entertainment except as approved by the general manager.

Exotic dancers/strippers may not act as servers or hold any other employment position in your establishment during their employment as an entertainer there.

Where accommodation is provided to entertainers, it shall be at least equal to the standard generally provided to the travelling public with respect to the traveller's safety (i.e., locks on the door, telephone in the room, etc.).

Entertainment – Games

Games are not permitted in the licensed areas of a B, E, G, or H licensed establishment. Unless authorized by the general manager, games and entertainment are not allowed in a lounge, outdoor patio, or picnic area licensed under an endorsement to a winery licence.

Games of skill, including darts, pool, shuffleboard, and foosball are normally permitted in A, C, D, F and I licensed establishments provided the floor area dedicated to these activities is no greater than 20 per cent of the licensed area. (Licensees may also be eligible for an additional 300 sq. ft. games area if approved by the general manager.)

Electronic video games and mechanical games such as pinball machines are permitted, but are restricted in the number per establishment. Premises with a patron capacity of 100 or less may have three such games, one of which may be a stand-up model. Premises with a patron capacity greater than 100 may have six, two of which may be stand-up models.

Games of chance may be permitted for amusement only; a payoff or prizing of any kind are not permitted.

Holding tournaments and contests

If you hold an A, C, D, F or I licence, you are permitted to run and advertise contests and tournaments when approved by the general manager. Licensees holding an E, G, H or winery licence may not run contests or tournaments within any licensed area of their establishments. If you are a B licensee, you are permitted to run and advertise random draws or activities to promote your establishment. A purchase is not required and these draws may not be associated with a liquor manufacturer.

In any tournament, contest, random draw or associated activity, you must abide by the following restrictions:

- no entry fees may be charged, with the exception of tournaments, and everyone who enters the establishment is entitled to enter the contest (entry fees may be charged only if all the fees collected are donated to a recognized charity)
- liquor must not be offered or given as a prize
- events do not involve the consumption of liquor
- drink purchases are not a condition of contest entry
- events do not involve a contact sport between two or more persons
- events are not sponsored in cooperation with any liquor manufacturer/agent, and licensed establishments are not associated or connected in any way with a manufacturer or agent sponsored contest (the only exception is a theme night promotion – theme nights are **not** allowed in B licensed restaurants)
- liquor manufacturers/agents may only donate or award trophies
- cash and merchandise prizes may not take the form of a lottery or draw where a participant may be expected to make a purchase to win (see "Selling lottery tickets" and "Consumer tastings in licensee retail stores"), and
- a winner does not need to be present to be eligible for any prizes or awards.

You are not permitted to advertise contests and tournaments involving wet t-shirts, wet jockey shorts, and bare-as-you-dare, etc. If these types of contests are conducted, they must conform to community standards and physical contact between the patrons and the contestants is not permitted.

Selling lottery tickets

Unless otherwise restricted by the general manager, A, C, D, F and I licensees may sell "Break Open", "Sports Action" and "Club Keno" tickets distributed by the B.C. Lottery Corporation.

Other licence classes are not permitted to sell any kind of lottery ticket.

Licensees may not run or allow others to run any gambling pools sometimes associated with major sporting events such as the Superbowl or World Series.

Only vending machines for "Break Open" tickets that have been approved by the B.C. Lottery Corporation are allowed in licensed establishments. 649 lottery machines are prohibited. Further information may be obtained from the B.C. Lottery Corporation with locations in Kamloops, Richmond and Victoria.

Charitable draws

Meat draws or other draws specified by the general manager are the only types of charitable draws allowed with one exception – 50/50 draws are permitted in certain veteran's or fraternal clubs which have been designated by the general manager.

Prizes may not include liquor or prizes redeemable for liquor. In addition, the winner is not required to be present to collect the prize.

Draws may be held by charitable organizations in A banquet rooms and veteran's or fraternal clubs (A licences) when a licence has been obtained by a charitable organization from the B.C. Gaming Commission.

Casino nights

The B.C. Gaming Commission may approve casino events as a form of entertainment in "full service" licensed hotels or outside the licensed area of licensed clubs. The branch does not object, provided the following conditions are met:

- liquor service or consumption does not take place in the area set aside for casino activities
- the area where liquor service and consumption takes place is sufficiently enclosed to prevent liquor being taken outside the area, and
- the event is not held in a licensed area except in the case of a banquet or other large room where the room can be divided so that there is an area for casino activities and a separate area for liquor service and consumption.

Pari-Mutuel betting

TBC Teletheatre B.C. may approve pari-mutuel (teletheatre outlets) betting as a form of entertainment in full service A licensed hotels and D neighbourhood pubs. The branch does not object, provided the following conditions are met:

- the pari-mutuel area, including the area in which patrons line up to place their bets, is located outside the licensed area of the establishment
- where the pari-mutuel area shares a common wall with a licensed area, the wall, doors and other openings are designed and constructed according to approved specifications (please contact your local liquor inspector for details)
- any openings directly between the pari-mutuel area and a liquor licensed area are clearly marked with signs indicating that liquor may not be taken into the pari-mutuel area, and
- where the pari-mutuel area is accessible directly from a liquor licensed area, it is adequately staffed during the hours it is in operation, and the staff ensure that patrons are not permitted to enter or remain in the pari-mutuel area with alcoholic beverages.

Liquor manufacturer/agent relations

Accepting or demanding inducements

You and your employees are prohibited from demanding, accepting, receiving or agreeing to receive money, gifts, reward or remuneration directly or indirectly, for promoting, inducing, or furthering the sale of a particular kind, class or brand of liquor. For example, you may not demand that manufacturers or agents supply additional product at no or reduced cost, in return for purchasing a liquor product.

Manufacturers, agents, representatives or any other person may not offer or give, or agree to offer or give, money, gifts, reward or remuneration directly or indirectly for promoting, inducing or furthering the sale of a particular kind, class or brand of liquor.

With the exception of manufacturers supplying items to their own wineries holding lounge or picnic area endorsements or brew pubs, you are prohibited from accepting any items, products or services from a manufacturer or representative, be it money, fixtures, furnishings, products, repair costs, draught lines, or rental of unoccupied rooms.

You may accept information and ideas from a manufacturer or representative that will enable you to improve your premises and operating methods; however, this information must come directly from the manufacturer or representative, not through an outside consultant. A manufacturer or agent may not give you advice regarding borrowing or locating financing.

The intent of these provisions is to ensure that when product is purchased, it is purchased on the basis of quality, price and consumer demand. These provisions are considered to be a cornerstone of the *Liquor Control and Licensing Act*, and will be strictly enforced.

When a liquor manufacturer visits

Mass treating or "buying drinks for the house" is not permitted by a manufacturer, agent or representative in your establishment. The manufacturer's representative may not leave funds for this purpose; however, it is permissible for an agent to join customers at a table in your licensed establishment, and buy a drink for each customer at that table. The purpose of this activity is to allow a manufacturer or agent to promote a particular product to your patrons. When a manufacturer or agent visits your establishment and wants to purchase drinks for your patrons, the following conditions must be met:

- the serving to each customer at one time is not greater than the normal serving in that particular licensed establishment
- each order is paid for at the time it is served (the order may be put on a "tab" provided the account is settled before the agent leaves the establishment)
- the manufacturer/agent does not treat more than one table at a time except where a bona fide sporting team is being entertained
- the manufacturer/agent conforms to the rules and regulations of your establishment if you are a private club or military mess, and it involves no breach of the Act

- in licensed restaurants, the patrons must order a meal before sampling products ordered by the manufacturer's representative
- you must issue a countersigned receipt for the dollar value of sampled product to the manufacturer/agent and both parties should retain a copy
- manufacturers or agents may not bring liquor products into a licensed establishment for the purpose of treating, and
- manufacturer's agents may not purchase drinks for patrons in an area licensed under a winery lounge endorsement or picnic area endorsement.

Introduction of liquor products

As a way of introducing their products, a manufacturer/agent may give you samples of product, but the amount you receive must not be more than one standard size bottle in any one year. That is:

- in the case of distilled spirits, the smallest available size per product (750 ml. or greater) listed by the Liquor Distribution Branch
- in the case of wine, the smallest available size per product (not exceeding two litres) listed by the Liquor Distribution Branch, and
- one dozen 341 ml. bottles or one dozen 355 ml. cans of beer, domestic cider or coolers.

This product must be consumed by you or your staff only in a private place outside the licensed area. It is not intended for your patrons and must not be purchased or consumed by them.

Consumer tastings in B licensed restaurants

Consumer tastings in B licensed restaurants are an opportunity for a manufacturer or agent to promote their products. Before a consumer tasting event takes place, the liquor manufacturer or agent must notify the Liquor Control and Licensing Branch of the intended event. You should be satisfied that this notification has taken place when planning a tasting event.

You may not charge the liquor manufacturer/agent or representative a fee for conducting the consumer tasting, and all liquor product used in the tasting must be purchased from you. The price paid by the manufacturer/agent must be no less than the price you normally pay for the product and no more than the price you normally charge to consumers. You must issue a countersigned receipt for the dollar value of sampled product to the manufacturer/agent or representative. Both of you should retain a copy for audit purposes.

Because the primary purpose of a restaurant is the service of food, all patrons must order a meal before tasting except in areas licensed as a designated food optional area, or a customer is seated at a table where at least three quarters of the persons are ordering food.

While the liquor manufacturer/agent or representative must be present during the entire period of the consumer tasting, all product must be dispensed by you or your staff.

The maximum quantities allowed to each consumer for each tasting session are:

	Single Product	Multiple Product
Wines	30 ml.	45 ml.
Beer/cider/coolers	30 ml.	45 ml.
Spirits	10 ml.	20 ml.

The quantities for multiple product tasting apply only where more than one product is being presented at any one time by a single manufacturer/agent. For example, where three varieties of wine are presented, you may offer a maximum quantity of 15 ml. of each wine to taste.

The manufacturer's/agent's representative must not leave open containers of beverage alcohol unattended at any time. At the end of the event, open, unfinished bottles are to be destroyed, with the exception of spirits or wine, which may be returned to stock.

Consumer tasting programs shall not be advertised outside the restaurant by you or by a participating manufacturer/agent. All point-of-purchase show material used to support the consumer tasting must be provided by the manufacturer/agent.

Consumer tastings in licensee retail stores

Within your licensee retail store (LRS), you may arrange for liquor manufacturers/agents to conduct tastings of product available for sale in your LRS. The time and length of a consumer tasting is left to your discretion and that of the manufacturer/agent, with the understanding that all tasting will end thirty minutes prior to the closing time of the store, and not more than one consumer tasting will be conducted in a single store at any one time.

Minors are not to participate in consumer tastings.

You may not charge a rental fee for demonstration space.

Servers must be provided by the manufacturer/agent involved, and must be a licensed agent of the firm or a server hired by the manufacturer/agent who is familiar with the rules governing this program. This person must not leave open containers of beverage alcohol unattended.

All liquor product sampled is to be purchased by the manufacturer/agent from your licensee retail store. Liquor may not be donated by the manufacturer/agent. The price paid by the manufacturer/agent must be no less than the price paid for the product by the store operators and no more than the price normally charged to consumers. You must issue a countersigned receipt for the dollar value of sampled product to the manufacturer/agent or representative. Both parties should retain a copy for audit purposes.

Maximum quantities allowed to each consumer for each tasting sessions are:

	Single Product	Multiple Product
Wines	20 ml.	30 ml.
Beer/cider/coolers	30 ml.	45 ml.

The quantities for multiple product tasting apply only where more than one product is being presented at any one time by a single manufacturer/agent. For example, where three varieties of wine are presented, you may offer a maximum quantity of 10 ml. of each wine to taste.

Upon completion of a tasting demonstration, open, unfinished bottles are not to be removed from the store by the manufacturer/agent. The product must be destroyed. Unopened product must be returned to your store inventory and a refund made to the manufacturer/agent at the price paid for the product.

Neither you nor your manufacturer/agent is allowed to advertise consumer tasting programs outside the store. Point-of-purchase show material is the only advertising permitted within a Licensee Retail Store. All point-of-purchase show material is to be supplied by the manufacturer/agent whose products are being tasted.

Liquor manufacturer/agent theme nights

A theme night is an opportunity for a manufacturer to promote the sale of a particular brand of liquor and may include festive activities meant to promote that product. In exchange for this opportunity, a manufacturer must ensure the event has an educational component promoting:

- public awareness of provincial liquor laws and policies
- public awareness about alcohol abuse
- messages related to the consequences of drinking and driving
- industry or corporate sponsored publications or programs featuring responsibility in beverage consumption, or
- any other message that may be considered in the public interest.

Only A, C, D, F, or I licensees are permitted to host a theme night. Other licence classes are not eligible.

Before any theme night takes place, the liquor manufacturer/agent must notify the Liquor Control and Licensing Branch concerning the event. You should be satisfied that this notification has taken place before staging a theme night. Theme night promotions are allowed under strictly controlled circumstances. A theme night promotion may not be advertised outside your establishment unless approved by the general manager. You should be aware of several

additional conditions associated with sponsoring such an event, including:

- events may not be conducted between 4:00 pm and 6:30 pm, with afternoon events ending by 4:00 pm and evening events not commencing until 6:30 pm
- a maximum of eight events may be conducted during any one ninety day period and may be held on up to four consecutive days*
- all educational material and all brand or corporately identified material to be displayed during the event must receive prior approval from the general manager
- a licensed agent must be present in your establishment during the event when sampling or prizing is done
- the offer or invitation to taste must be made by the manufacturer or agent, and not by yourself or your staff, and
- samples served to patrons seated at tables must be dispensed by you or your staff; however, if samples are served from a separate service counter, bar, or other area, they must be dispensed by personnel provided by the manufacturer or agent.

Samples must be served in plastic glassware, and maximum quantities allowed to each consumer for each are:

	Single Product	Multiple Product
Wines	30 ml.	45 ml.
Beer/cider/coolers	30 ml.	45 ml.
Spirits	10 ml.	20 ml.

The manufacturer or agent must purchase all sample product from you and you must issue a countersigned receipt for the value of all product purchased from you. You are allowed to set reasonable special prices for promotions and charge a corkage fee on top of those prices. You may not charge a fee for conducting the event and any tips or gratuities paid by the agent must not exceed 15 per cent.

An agent or supplier may run contests and present prizes as follows:

- prizes may be brand or corporately identified unless otherwise directed by the general manager (the exception to this is vehicular prizes such as snowboards, bikes, etc., which could be used by minors)
- liquor or drinks containing liquor may not be given as prizes, and
- trips, accommodation or anything that cannot be carried from your establishment may not be given as a prize.

You and your staff may wear brand or corporately identified items during the event. Any brand or corporately identified items not distributed by the end of the event must be removed from your establishment by the manufacturer or agent.

Using liquor manufacturer/agent promotional material (excluding licensee retail stores)

You may display small signs, tent cards, posters, coasters or other brand or corporately identified items within your establishment, provided that:

- the brand of liquor identified is offered on your menu
- the item bearing the corporate or brand identification is an incidental item and not one necessary to the operation of your establishment
- the item is of nominal value
- brand or corporately identified items of any particular liquor manufacturer are not predominant so it does not appear that you are promoting a particular liquor product or the products of a particular manufacturer
- more expensive brand or corporately identified items, such as mirrors or ceramic draft beer towers, may also be used provided the liquor supplier retains ownership of the items
- brand or corporately identified signs or items are positioned so they can be seen only by patrons within your establishment, and
- the manufacturer has obtained branch approval for any brand or corporately identified items or printed material supplied to you.

You may not place bottles of liquor on tables as a promotional or point of sale device, nor may you or your staff wear corporately identified clothing unless your establishment is a brew pub or winery. The exception to this is on theme nights (see page 27).

You may use brand-identified glassware, provided the following conditions are met:

- it is not provided or loaned to the licensee at the expense of the manufacturer, agent or representative
- it is purchased by the licensee at fair market value, and
- proof of payment is retained for two years, for purposes of audit.

Using liquor manufacturer/agent promotional material in licensee retail stores

Liquor manufacturer/agent promotional material may be displayed. This material, limited to shelf-talkers, ceiling danglers, and product display structures, belongs to the manufacturer, and must be removed at the end of the promotion.

A manufacturer or agent may sell you brand or corporately identified apparel and novelties to be sold in your LRS, provided you have been invoiced, at fair market value, for the goods and can prove you have paid the invoice. These items may not be jointly branded with the name of your LRS and the name of the product or manufacturer.

Brand or corporately identified signage or materials should be positioned so they can be seen only by patrons within the store.

Promotions that require the purchase of a liquor product as a condition of participation are not allowed – for example, offering free snacks or a reduction in the price of cigarettes with the purchase of a quantity of beer or wine.

An agent/manufacturer may not run in-store contests in your LRS; however, mail in/coupon driven contests which are being run in a government liquor store may also be run in your LRS.

Advertising

Advertising your licensed establishment

The Liquor Control and Licensing Regulations establish strict guidelines governing licensee advertising. You may provide information about the name of your establishment, the category of licence held (e.g., pub or lounge), the location of your establishment, your hours of sale and the entertainment or food you may feature. Your ads and signs can include the words "Licensed Premises" or "Fully Licensed" if your licence does not restrict the types of liquor sold in your establishment. A licensee retail store may use the words "Cold Beer and Wine Store" because the term "licensee retail store" does not convey the nature of the business.

Advertisements may appear in newspapers, magazines, and periodicals. You may also print pamphlets or brochures, including graphics and pictures of your establishment and licensed areas (including service bar).

You may advertise on radio and television, with signs located on your building, and with directional signs located on or away from the property. Advertising liquor products or prices outside your establishment or in the store windows is prohibited.

There are certain things your advertisements may not contain. You may not state or imply that your establishment holds a class of licence it does not. If your business is a pub or other straight drinking establishment, you may not show pictures of minors, or personalities, imagery, items or activities that may appeal to minors. You may not show intoxicated individuals or show behaviour that implies irresponsible or illegal consumption. Your ads may also not show any activities that are not permitted in licensed establishments or any behaviour that is inconsistent with current statutory or policy requirements. In other words, all activities depicted in your ads must be responsible and law abiding. If you are licensed as a club, you may not solicit the general public through your advertisements.

Also, you may not advertise, either directly or by implication, the availability of liquor. This includes advertising a particular kind, class or brand of liquor, the name of a liquor manufacturer or agent, liquor prices or drink specials, consumer tastings or other promotional activities conducted by a manufacturer or agent. There are two exceptions to this:

- if you hold an off-sales endorsement, and
- if you are promoting an event held in conjunction with a manufacturer, the owner or senior representative from the manufacturer must be present and a meal served to all those attending (e.g., winemaker's dinner).

Licensees with off-premises sales endorsements may advertise the availability of off-sales, but must not mention the price of the liquor products or the brands or manufacturers. In accordance with the regulations, the following words must be used: Off-premises sale of beer, wine, cider and coolers is available.

Advertisements depicting liquor consumption are not permitted. This includes advertising a particular kind, class or brand of liquor, the name of a liquor manufacturer or agent, liquor prices or drink specials or consumer tastings or other promotional activities conducted by a manufacturer or agent. Brand names and labels may not be shown and food must be present to introduce a sense of moderation. In restaurant advertisements, every patron depicted with liquor must also have food in front of them. Restaurant advertisements may not refer to a designated food optional area.

Names and signs

Licensed establishment names and signs require branch approval before they may be used or erected. Contact your local liquor inspector for this approval.

Names

You may not represent your establishment as holding a class of licence it does not hold. For example, a neighbourhood pub cannot call itself a cabaret. The exception is that a cabaret may call itself a club even though it is not a club within the meaning of the Act. This is because such establishments are commonly referred to as either night-clubs or clubs.

If you hold other than a B licence, you may use terms such as bar, saloon, cantina, tavern or other similar terms in your establishment name instead of, or in addition to, your licence category.

If you hold a B licence, you may not use this terminology because it may mislead customers regarding the nature of your business, which is primarily to serve food. You may call your establishment a "pubstyle" restaurant, a dining lounge provided you hold that type of licence, or a bar such as a pasta bar or oyster bar, provided the term "bar" is associated with a type of food, rather than liquor. If you plan to use these words or phrases, you must not emphasize the words "pub" or "bar", as in O'Malley's **PUB**-Style Restaurant.

You may not call your restaurant a "Bar and Grill". Neither may you adopt words from other languages, such as cantina or ouzeri, when these words mean a straight drinking establishment in their land of origin. You may call your restaurant a "taverna" because this Greek word means "eating house".

Signs

Any sign, including a sign bearing the name of the establishment, is considered to be an advertisement and must comply with the advertising terms and conditions outlined in this document. Signs must also comply with the "Names" policy outlined above.

Words such as "fine wine", "beer", or "spirits", or any other words suggesting the availability of liquor may not be displayed outside your establishment; however, your sign may include an outline of an ***empty*** wine or martini glass, or beer stein.

VIII. Let's work together

We all have obligations to fulfil. The system works best when licensees and Liquor Control and Licensing Branch personnel work together to achieve compliance with both the spirit and the intent of the *Liquor Control and Licensing Act*. The branch appreciates the many aspects of business operation that you must consider, however these business considerations must always take into account the liquor licensing laws. Never hesitate to discuss potential enforcement problems with a liquor inspector or other branch personnel. They are there to help you to understand and observe the liquor laws of British Columbia.

Enforcement Regulation and Penalty Schedule

excerpt from B.C. Reg. 608/76, the Liquor Control and Licensing Regulations

Enforcement

Definition

50 In sections 51 to 56, **"finding of contravention"** means, in respect of an alleged contravention of a licensee,

(a) an agreement by the licensee under section 51 (3) that the contravention occurred, or

(b) a determination of the general manager, referred to in section 52, that the contravention occurred.

[en. B.C. Reg. 362/2000, Sch. 3, s. 2.]

Notices of contravention

51 (1) If an inspector forms the opinion that a licensee has committed a contravention, the inspector must provide written notice to the licensee that the inspector is of the opinion that the licensee has committed a specified contravention.

(2) If after considering the alleged contravention, the inspector proposes that enforcement actions should be taken against the licensee in response to that alleged contravention, the inspector must, after forming that opinion, provide written notice to the licensee

(a) specifying which enforcement actions the general manager believes should be taken against the licensee should the licensee agree under subsection (3) that the licensee has committed the contravention, and

(b) notifying the licensee that, unless the licensee accepts and complies with the enforcement actions specified under paragraph (a) of this subsection in accordance with subsection (3),

(i) the general manager will determine whether the alleged contravention occurred and the enforcement actions, if any, that are to be taken in relation to that alleged contravention, and

(ii) an enforcement hearing may be scheduled for that purpose.

(3) The general manager may hold an enforcement hearing to determine whether the licensee committed the alleged contravention and, if so, to determine what enforcement actions are to be taken against the licensee as a result, unless, within 14 days after the date of the notice referred to in subsection (2), or within such longer time as the general manager considers appropriate, the licensee provides to the general manager a notice of waiver, in form and content satisfactory to the general manager, by which the licensee expressly and irrevocably

(a) agrees that the licensee has committed the contravention,

(b) accepts the specified enforcement actions,

(c) waives the opportunity to have an enforcement hearing on the matter,

(d) waives the right to appeal to the Liquor Appeal Board the finding of contravention and the specified enforcement actions, and

(e) agrees that the finding of contravention and the specified enforcement actions will form part of the compliance history of the licensee.

[en. B.C. Reg. 362/2000, Sch. 3, s. 2.]

Imposition of enforcement actions

52 (1) If, under section 20 of the Act, the general manager determines that a licensee has committed a contravention as a result of which one or more enforcement actions may be taken against the licensee, and if the licensee has not, in respect of that contravention, provided to the general

manager a notice of waiver in accordance with section 51 (3), the general manager may, under section 20 of the Act, take the enforcement actions, if any, against the licensee that the general manager considers appropriate as a result of the contravention and, in so doing, may but need not take the enforcement actions specified under section 51 (2) (a).

(2) Nothing in this section requires the general manager to hold an enforcement hearing, or any hearing, before making either or both of the determinations referred to in subsection (1).

[en. B.C. Reg. 362/2000, Sch. 3, s. 2.]

Suspensions

53 (1) If, in relation to a contravention, the enforcement actions specified under section 51 (2) (a) or referred to in section 52 (1) include a suspension, the period of the suspension must, subject to subsection (2) of this section, fall within the range established for the contravention under Schedule 4.

(2) If, in the circumstances of a contravention and the compliance history of the licensee, the general manager considers that a longer period of suspension is warranted than that established for the contravention under Schedule 4, the suspension period may extend as far beyond the range established under Schedule 4 as the general manager considers appropriate.

(3) If the general manager determines that a licensee has committed more than one contravention for which suspensions should be assessed, the period of the suspension determined in relation to those contraventions must be the sum of the suspension periods determined for each of the contraventions.

[en. B.C. Reg. 362/2000, Sch. 3, s. 2.]

When a suspension is to be served

54 (1) In this section, **"business day"** means, in respect of a licensee, a day on which the licensee's establishment would normally be open for business.

(2) If a licensee accepts a suspension under section 51 (3) (b) or if the enforcement actions referred to in section 52 (1) include a suspension, the suspension must

(a) unless the general manager considers that a different day of the week is more appropriate, take effect on the same day of the week as the day on which the contravention for which the suspension was imposed was committed, and

(b) continue in effect on each succeeding business day until the number of days on which the suspension has been in effect equals the number of days in the accepted or determined period of suspension.

(3) The general manager may, subject to subsection (2), determine the date on which the suspension begins.

[en. B.C. Reg. 362/2000, Sch. 3, s. 2.]

Monetary penalties

55 (1) If a monetary penalty specified under section 51 (2) (a) or referred to in section 52 (1) is in relation to a contravention that is a first contravention within the meaning of section 1 (1) (b) (i) of Schedule 4, the amount of the monetary penalty must, subject to subsection (2) of this section, fall within the range, if any, established for the contravention under Schedule 4.

(2) If, in the circumstances of a contravention and the compliance history of the licensee, the general manager considers that a monetary penalty in an amount that exceeds the amount established for the contravention under Schedule 4 is warranted, the monetary penalty may extend as far beyond the range established under Schedule 4 as the general manager considers appropriate.

(3) If the general manager determines that a licensee has committed more than one contravention for which monetary penalties should be assessed, the amount of the monetary penalty determined in relation to those contraventions must be the sum of the monetary penalties determined for each of the contraventions.

[en. B.C. Reg. 362/2000, Sch. 3, s. 2.]

Cancellation of licences

56 (1) Subject to subsection (2), the general manager must cancel the licence of a licensee if,

(a) the licensee permits the sale, service or consumption of liquor while the licensee's licence is under suspension,

(b) contrary to section 67 (3) of the Act, the licensee

(i) obstructs or attempts to obstruct an entry or search by a peace officer under section 67 of the Act, or

(ii) refuses or fails to admit immediately a peace officer demanding entry anywhere under section 67 of the Act,

(c) contrary to section 73 (2) (b) of the Act, the licensee neglects or refuses to allow premises to be inspected when and as required under section 73 (2) (b) of the Act, or

(d) contrary to section 16 of this regulation, the licensee fails to permit the general manager or a person to whom the general manager has delegated the power under that section to enter and inspect the licensed establishment at the time or times required by the general manager.

(2) The general manager need not cancel a licence in a circumstance referred to in subsection (1) of this section if

(a) the licence is transferred in accordance with subsection (3), or

(b) subsection (4) applies.

(3) The general manager may under subsection (2) (a) refrain from cancelling a licence if

(a) the general manager notifies the licensee that the general manager is prepared to consider a transfer of the licence during a specified period,

(b) the general manager suspends the licence until the earlier of

(i) the end of the specified period, and

(ii) the date on which the licence is transferred by way of a transfer approved by the general manager, and

(c) the licence is transferred within the specified period by way of a transfer approved by the general manager.

(4) The general manager may under subsection (2) (b) refrain from cancelling a licence if the general manager is satisfied that it is in the public interest to refrain from cancelling the licence and the general manager

(a) suspends the licensee's licence in accordance with Schedule 4, and

(b) imposes any other enforcement actions referred to in section 20 (2) of the Act that the general manager considers appropriate.

[en. B.C. Reg. 362/2000, Sch. 3, s. 2.]

SCHEDULE 4

ENFORCEMENT ACTIONS

[en. B.C. Reg. 362/2000, Sch. 3, s. 2.]

Interpretation

1 (1) For the purposes of this Schedule,

(a) a contravention is of the same type as another contravention if each contravention is described by the same Item of this Schedule, and

(b) a contravention committed by a licensee is

(i) a first contravention if the contravention was committed at or in respect of an establishment and the licensee has not committed a contravention of the same type at or in respect of that establishment within the 12 month period preceding the commission of the contravention,

(ii) a second contravention if the contravention was committed at or in respect of an establishment and the licensee has committed one contravention of the same type at or in respect of that establishment within the 12 month period preceding the commission of the contravention, and

(iii) a subsequent contravention if the contravention was committed at or in respect of an establishment and the licensee has committed a second contravention of the same type at or in respect of that establishment within the 12 month period preceding the commission of the contravention.

(2) In section 20 (1) (c.1) of the Act and in Item 12 of this Schedule, **"reasonable measures"** means, in respect of a licensee, measures that are

(a) reasonable in the circumstances, and

(b) reasonably within the capacity of the licensee to effect.

Item	Contravention	Period of Suspension			Monetary Penalty
		First Contra.	Second Contra.	Subsequent Contra.	First Contra.
	OPERATING OUTSIDE OF LICENCE CLASS				
1	Operating the licensed establishment in such a way that it differs in nature from the class or category of establishments to which the licence is intended to apply	10-15 days	20-30 days	30-60 days	$7 500-$10 000
	MINORS				
2	A breach of section 33 of the Act (Selling liquor to minors)	4-7 days	10-14 days	18-20 days	$5 000- $7 000
3	A breach of section 35 of the Act (Minors on licensed premises)	1-3 days	3-6 days	6-9 days	$1 000-$3 000
	GAMBLING				
4	A breach of section 36(2)(a) of the Act by authorizing or permitting gambling in the licensed establishment	4-7 days	10-14 days	18-20 days	$5 000- $7 000
5	A breach of section 36(2)(c) of the Act by authorizing or permitting a device used for gambling to be placed, kept, or maintained in the licensed establishment	10-15 days	20-30 days	30-60 days	$7 500-$10 000

CRIMINAL OR RIOTOUS CONDUCT					
6	A breach of section 36(2)(a) of the Act by authorizing or permitting, in the licensed establishment, drunkenness or violent, quarrelsome, riotous or disorderly conduct	10-15 days	20-30 days	30-60 days	$7 500-$10 000
7	A breach of section 36(2)(b) of the Act by authorizing or permitting, in the licensed establishment, any unlawful activities or conduct	10-15 days	20-30 days	30-60 days	$7 500-$10 000
INTOXICATED PATRONS					
8	A breach of section 43(1) of the Act by selling or giving liquor to an intoxicated person or to a person apparently under the influence of liquor	4-7 days	10-14 days	18-20 days	$5 000- $7 000
9	A breach of section 43(2)(a) of the Act by permitting a person to become intoxicated	4-7 days	10-14 days	18-20 days	$5 000- $7 000
10	A breach of section 43(2)(b) of the Act by permitting an intoxicated person to remain in that part of the licensed establishment where liquor is sold, served or otherwise supplied	4-7 days	10-14 days	18-20 days	$5 000- $7 000
WEAPONS					
11	A breach of section 47 of the Act (Licensee's duties – dangerous weapons)	4-7 days	10-14 days	18-20 days	$5 000- $7 000
LICENSEE RESPONSIBLE FOR DISTURBANCE OF PERSON IN THE VICINITY					
12	A failure to take reasonable measures to ensure that the operation of the licensed establishment is not contrary to the public interest and does not disturb persons in the vicinity of the establishment	10-15 days	20-30 days	30-60 days	$7 500-$10 000
OVERCROWDING					
13	A breach of section 4(7) of this regulation by failing to comply with the British Columbia Building Code or the Vancouver Building Bylaw, as the case may be, or regulations under the *Fire Services Act* or under the *Health Act*	4-7 days	10-14 days	18-20 days	$5 000- $7 000
14	A failure to comply with this regulation, or with the terms and conditions of the licence, respecting capacity of the licensed establishment or of licensed premises	1-3 days	3-6 days	6-9 days	$1 000- $3 000
ILLICIT LIQUOR					
15	A breach of section 38 of the Act (Unlawful sale of liquor)	10-15 days	20-30 days	30-60 days	$7 500-$10 000
16	A breach of section 38.1 of the Act (Unlawful to dilute or adulterate liquor)	4-7 days	10-14 days	18-20 days	$5000-$7000
17	A breach of section 39 of the Act (Unlawful purchase of liquor)	10-15 days	20-30 days	30-60 days	$7 500-$10 000

18	A breach of section 6(1) of this regulation by failing to keep and maintain a register of all liquor purchased and received or by failing to keep the register open for inspection at all reasonable times to any peace officer or person designated in writing by the general manager	1-3 days	3-6 days	6-9 days	$1 000- $3 000
19	A breach of section 6(2) of this regulation by purchasing liquor other than from a store manager designated in writing by the general manager or without identifying the licensee as a licensee to the cashier of that store manager	1-3 days	3-6 days	6-9 days	$1 000- $3 00
	LIQUOR SERVICE				
20	A breach of section 7.1(3) of this regulation by the licensee failing to complete the required training program	4-7 days	10-14 days	18-20 days	$5 000- $7 000
21	A breach of section 7.1(3) of this regulation by a manager or server failing to complete the required training program	1-3 days	3-6 days	6-9 days	$1 000- $3 000
22	A breach of section 8(1) of this regulation by failing to clear the licensed establishment of patrons within 1/2 hour after the establishment is closed	1-3 days	3-6 days	6-9 days	$1 000- $3 000
23	A breach of section 8(2) of this regulation by allowing a person to consume liquor in the licensed establishment beyond 1/2 hour after the establishment is closed	4-7 days	10-14 days	18-20 days	$5 000- $7 000
24	A breach of section 10(2) of this regulation as a result of an employee of the licensee consuming liquor while working on the licensed premises	1-3 days	3-6 days	6-9 days	$1 000- $3 000
25	A breach of section 11(2) of this regulation by permitting liquor not purchased from the licensee to be consumed in the licensed establishment	4-7 days	10-14 days	18-20 days	$5 000- $7 000
26	A breach of section 11(3) of this regulation by permitting liquor sold in the licensed establishment to be taken from the establishment	1-3 days	3-6 days	6-9 days	$1 000- $3 000
27	A breach of section 12 of this regulation by providing free liquor or liquor at reduced prices to customers	4-7 days	10-14 days	18-20 days	$5 000- $7 000
28	If the establishment is one in respect of which a B licence has been issued, a breach of the regulations under section 17 (2) of this regulation by serving liquor in the establishment to a person, other than a person described in section 17 (2) (d) of this regulation, who does not intend to order and consume food in the establishment	1-3 days	3-6 days	6-9 days	$1 000- $3 000

	INSPECTIONS				
29	A breach of section 73(2)(a) of the Act	10-15 days	20-30 days	30-60 days	$7 500-$10 000
	ADVERTISING				
30	A breach of section 49 of the Act (Display of signs)	1-3 days	3-6 days	6-9 days	$1 000- $3 000
31	A breach of section 51.1 of the Act (Advertising liquor) or section 24.2 of this regulation (Licensed establishment advertisements)	1-3 days	3-6 days	6-9 days	$1 000- $3 000
	ENTERTAINMENT				
32	Permitting in the licensed establishment entertainment by one or more exotic dancers or strippers that is prohibited or restricted under section 50 of the Act	4-7 days	10-14 days	18-20 days	$5 000- $7 000
33	Permitting in the licensed establishment any other entertainment that is prohibited or restricted under section 50 of the Act	1-3 days	3-6 days	6-9 days	$1 000- $3 000
	LICENSING CONTRAVENTIONS				
34	A breach of section 15 (2) of the Act	10-15 days	20-30 days	30-60 days	$7 500-$10 000
35	A breach of section 18 of the Act (Tied houses) by failing to disclose to the general manager the information that must be disclosed under that section	10-15 days	20-30 days	30-60 days	$7 500-$10 000
36	A breach of section 19 (3) of the Act by transferring shares of the licensee's capital stock without first receiving the general manager's approval for that transfer	1-3 days	3-6 days	6-9 days	$1 000- $3 000
37	A breach of section 4 (3) of this regulation by making structural alterations in or enlarging any area of the licensed establishment without first receiving the written permission of the general manager	1-3 days	3-6 days	6-9 days	$1 000- $3 000
	INDUCEMENTS				
38	A breach by the licensee or an employee of the licensee of section 45 of the Act (Licensee not to give or accept gifts for promoting liquor)	10-15 days	20-30 days	30-69 days	$7 500-$10 000
	UBREW/UVIN				
39	A breach of section 36 of this regulation (Role of the customer in the production process)	4-7 days	10-14 days	18-20 days	$5 000- $7 000
40	A breach of section 35 (Payment, acknowledgment and invoice required), 37 (Licensee or employee production), 38 (Storage requirements), 39 (No consump-	1-3 days	3-6 days	6-9 days	$1 000- $3 000

	tion other than tasting), 40 (Customer required to bottle own product), 41 (Removal of finished product required), 43 (Minors), 44 (Record-keeping and reporting requirements), 45 (Advertising) or 46 (Hours of operation) of this regulation				
41	A breach of section 42 of this regulation (Sales prohibited)	10-15 days	20-30 days	30-60 days	$7 500-$10 000
DEFAULT IN MONETARY PENALTIES					
42	A breach of section 20 (2.6) of the Act	10-15 days	20-30 days	30-60 days	

For more information, contact the liquor inspector in your area.

CAMPBELL RIVER
Liquor Control and Licensing Branch
B.C. Access Centre
115 - 1180 Ironwood Street
Campbell River, B.C. V9W 5P7
250 286-7654 FAX 286-7573

CRANBROOK
Liquor Control and Licensing Branch
B.C. Access Centre
100 Cranbrook Street North
Cranbrook, B.C. V1C 3P9
250 426-1562 FAX 426-1253

FORT ST. JOHN
Liquor Control and Licensing Branch
B.C. Access Centre
10600 - 100th Street
Fort St. John, B.C. V1J 4L6
250 787-3345 FAX 787-3210

KAMLOOPS
Liquor Control and Licensing Branch
c/o Government Agent
250 - 455 Columbia Street
Kamloops, B.C. V2C 6K4
250 828-4720 FAX 828-4233

KELOWNA
Liquor Control and Licensing Branch
Attorney General
101 - 2141 Springfield Road
Kelowna, B.C. V1Y 7X1
250 861-7418 or 861-7576
FAX 861-7697

NANAIMO
Liquor Control and Licensing Branch
B.C. Access Centre
460 Selby Street
Nanaimo, B.C. V9R 2R7
250 741-3625 FAX 741-3622

NELSON
Liquor Control and Licensing Branch
Attorney General
110 - 310 Ward Street
Nelson, B.C. V1L 5S4
250 354-6460 FAX 354-6561

PENTICTON
Liquor Control and Licensing Branch
c/o Government Agent
112 - 100 Main Street
Penticton, B.C. V2A 5A5
250 492-1293 FAX 492-1213

PRINCE GEORGE
Liquor Control and Licensing Branch
472 - 1011 4th Avenue
Prince George, B.C. V2L 3H0
250 565-6993 FAX 565-6758

SQUAMISH
Liquor Control and Licensing Branch
38073 2nd Avenue
Squamish, B.C. V0N 3J0
604 815-2033 FAX 604 285-2034

TERRACE
Liquor Control and Licensing Branch
B.C. Access Centre
107 - 3220 Eby Street
Terrace, B.C. V8G 5K8
250 638-6544 FAX 638-6519

VANCOUVER
Liquor Control and Licensing Branch
133 East 8th Avenue
Vancouver, B.C. V5T 1R8
604 775-0100 FAX 775-0044

Liquor Control and Licensing Branch
9180 King George Highway
Surrey, B.C. V3V 5V9
604 586-2641 FAX 586-2640

VERNON
Liquor Control and Licensing Branch
B.C. Access Centre
#38 - 3201 - 30th Street
Vernon, B.C. V1T 9G3
250 549-5614 FAX 549-5508

VICTORIA
Liquor Control and Licensing Branch
Attorney General
2nd Floor, 1019 Wharf Street
Victoria, British Columbia V8V 1X4
250 387-1254 FAX 387-9184

WILLIAMS LAKE
B.C. Access Centre
540 Borland Street
Williams Lake, B.C. V2G 1R8
250 398-4211 FAX 398-4208